

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**DR. CLINT NICHOLS**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 2:08cv128-KS-MTP**

**THE UNIVERSITY OF SOUTHERN  
MISSISSIPPI, et al.**

**DEFENDANTS**

**ORDER ON MOTION TO COMPEL**

THIS MATTER is before the court on the plaintiff's motion [20] to compel discovery, and the court having considered the motion and noting that the response [26] to the motion indicates that the discovery responses at issue have been provided or supplemented and the issues resolved – except for a possible challenge by plaintiff to certain documents designated on a privilege log as privileged or protected – finds that the motion should be denied as moot.

The response [26] seems to suggest that every document on the privilege log will be submitted to the court for *in camera* review and for a ruling on the applicability of the asserted privilege with respect to each document withheld. The court declines to undertake or approve a blanket review of every document withheld as privileged. However, if plaintiff desires in good faith to challenge defendants' designation of particular documents as privileged, plaintiff shall specify which documents are challenged by notifying defendants in writing of the challenged documents by May 7, 2009. If after a good faith conference between counsel the challenges are not resolved, the defendants shall forward the document(s) at issue to the court for *in camera* review by May 15, 2009.

SO ORDERED AND ADJUDGED this the 30th day of April, 2009.

s/ Michael T. Parker

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United States Magistrate Judge